UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

--X

AMES RAY,

Plaintiff,

-against-

DONALD WATNICK, JULIE STARK and JOHN DOES 1-5,

Defendants.

--X

CASE NO. 1:15-cv-10176 (JSR)

NOTICE OF MOTION

PLEASE TAKE NOTICE that pursuant to Rule 2(d) of the Individual Rules of Practice for the Honorable Jed S. Rakoff, and upon the Declaration of Janice J. DiGennaro dated February 25, 2016 and the exhibits annexed thereto, and the accompanying Memorandum of Law, Defendants Donald Watnick and Julie Stark (collectively, "Defendants") hereby provide notice of their motion to dismiss the Complaint of Plaintiff, Ames Ray ("Plaintiff"), for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6), with prejudice, and for such further and different relief that to the Court may seem just, proper and equitable.

In accordance with the briefing schedule set in a telephone conference held on February 11, 2016, Plaintiff's answering papers will be due on March 11, 2016, Defendants' reply papers will be due on March 18, 2016, and oral argument will be held on March 28, 2016 at 5:00 p.m.

Dated: February 25, 2016
Uniondale, New York

Respectfully submitted,

RIVKIN RADLER LLP

By: /s/ Janice J. DiGennaro
Janice J. DiGennaro
926 RXR Plaza
Uniondale, New York 11556-0926
(516) 357-3000
janice.digennaro@rivkin.com
Attorneys for Defendants
Donald Watnick and Julie Stark